



ATTACHMENT 2

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANT: John Melvin, et al.

TITLE: Mobile Transfilling System

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.132 DECLARATION OF JOHN MELVIN WITH REGARD TO THE  
LICENSING OF THE INVENTION / REPLACEMENT IN THE INDUSTRY OF  
THE PRIOR ART METHODS BY THE PRESENT INVENTION**

I, JOHN MELVIN, of full age and majority, residing at 104 Connie Drive, Gulfport, MS, 39503, do hereby declare as follows:

1. In 2004, my partner Ken Carver and I, formed C&M Oxyfill, LLC and began to introduce our mobile transfilling method into the market.
2. We have conducted no advertising to date.
3. We were subsequently approached by numerous third parties who requested licenses to utilize our method.
4. One of our licensees is P&J Oxyfill, LLC whose current operation includes regions in Mississippi. (Exhibit 1)

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5. Another licensee is Air-eze, LLC, whose current operation includes regions in Alabama. (Exhibit 2).
6. When Air-eze, LLC first started operations, they had no clients and there were a plurality of conventional ground-based re-filling stations doing business in their region.
7. Air-eze, LLC subsequently developed a significant client following.
8. Many of Air-eze, LLC's current clients had formerly utilized these conventional ground-based re-filling stations but subsequently switched to Air-eze, LLC's services.
9. Air-eze, LLC did not have any pre-existing relationship with their current clients.
10. Exhibit 6 is a list of Air-eze, LLC's current clients. All of these listed clients were previous customers of ground-based re-filling stations who switched to the mobile transfilling method.
11. Yet another licensee is Quick-Fill Mobile Oxygen Inc. whose current operation includes regions in Southern Louisiana. (Exhibit 3)
12. Purepoint, Inc. is an additional licensee whose current operation area is in Alabama and Florida. (Exhibit 4)
13. When Purepoint, Inc. first started operations, they had no clients and there were a plurality of conventional ground-based re-filling stations doing business in their region.
14. Purepoint, Inc. subsequently developed a significant client following.

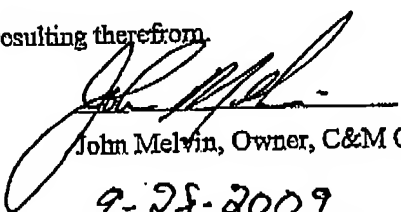
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15. Many of Purepoint, Inc.'s current clients had formerly utilized these conventional ground-based re-filling stations but subsequently switched to Purepoint, Inc.'s services.
16. Purepoint, Inc. did not have any pre-existing relationship with their current clients.
17. Exhibit 7 is a list of Purepoint, Inc.'s current Alabama clients. All of these listed clients were previous customers of ground-based re-filling stations who switched to the mobile transfilling method.
18. Yet another licensee is H&C Oxygen, Inc. whose current operation area is in Mississippi and Louisiana. (Exhibit 5)
19. When H&C Oxygen, Inc first started operations, they had no clients and there were a plurality of conventional ground-based re-filling stations doing business in their region.
20. H&C Oxygen, Inc subsequently developed a significant client following.
21. Many of H&C Oxygen, Inc current clients had formerly utilized these conventional ground-based re-filling stations but subsequently switched to H&C Oxygen, Inc's services.
22. H&C Oxygen, Inc did not have any pre-existing relationship with their current clients.
23. Exhibit 8 is a list of H&C Oxygen, Inc's current clients. All of these listed clients were previous customers of ground-based re-filling stations who switched to the mobile transfilling method.

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24. Exhibits 1-5 are copies of the licensing agreements between C&M Oxyfill and said licensees.

John Melvin states that the facts set forth in this declaration are true; that all statements made herein of his own knowledge are true and that statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent resulting therefrom.

  
John Melvin, Owner, C&M Oxyfill, LLC

9-28-2009

Date